

June 1, 2015

Zoning Commission
441 4th St. NW, Suite 200-S
Washington, DC 20001

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RE: Public Comment on Case No. ZC 14-11

Dear Zoning Commissioners:

As a home owner affected by the recent boom in row house conversions to condo buildings ("poppers"), I applaud your effort to regulate these developments. However, your proposal to allow, as a matter-of-right, the conversion of an existing single-family home to a four-unit apartment building (section 330 7) is simply not consistent with the city's master plan, and fundamentally undermines the effort to protect areas of the city that should be preserved as primarily single family residences

Some of the relevant provisions of the Comprehensive Plan requiring protection of row house neighborhoods include

Action H-1.3.A: Review Residential Zoning Regulations (make necessary zoning changes to preserve row houses as single family units):

During the revision of the city's zoning regulations, review the residential zoning regulations, particularly the R-4 (row house) zone. Make necessary changes to preserve row houses as single-family units to conserve the city's inventory of housing for larger households.

Policy LU-2.1.7: Conservation of Row House Neighborhoods (require height and scale of structures in rowhouse neighborhoods to be consistent with existing pattern):

Protect the character of row house neighborhoods by requiring the height and scale of structures to be consistent with the existing pattern, considering additional row house neighborhoods for "historic district" designation, and regulating the subdivision of row houses into multiple dwellings. Upward and outward extension of row houses which compromise their design and scale should be discouraged

Row home conversions to more than two units should require a special exception proceeding, which considers the impacts on nearby neighbors, pursuant to the conditions proposed in section 336.

I thank Chairman Hood and Commissioner Turnbull for voting against matter-of-right conversions I urge Commissioners Cohen, May and Miller to reconsider your vote and allow no more than two-units as a matter-of-right.

I further recommend the following changes to the proposal:

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- Clarify section 330.7 to remove any doubt about the intent of this provision. It could be interpreted to mean that an addition could extend 10 feet past the furthest rear wall of any adjacent row house. Please make it abundantly clear that the addition could not extend further than 10 feet past the rear wall of the shortest adjacent row house. In addition, please reconsider granting special exception relief for §§ 330.7 (b), (e), (h), (i), (j) and (k). Because the criteria for special exception relief appears lenient, homeowners would receive little protection if these conditions can be waived relatively easily.
- The conditions in section 330.7 also should apply to flats. Row homes on smaller lots are being converted to two-unit condominiums at high rates. Adjoining neighbors of these smaller developments also are entitled to protection of their light, air, chimneys and solar panels.
- I support lowering the height of row houses to 35 feet and including a mezzanine as a story. However, I do not support a 40 feet matter-of-right height for new construction of three or more adjoining residential row dwellings built concurrently. I believe this would incentivize developers to raze row houses in good condition to achieve the 40 feet matter-of-right height. Add the 18 feet (or 10 feet) penthouse and the result is several consecutive buildings that soar over other row houses on the block.

Finally, please make the changes effective immediately upon publication in the D.C. Register. This case was set down in June 2014, almost one year ago. Developers have had adequate notice about these amendments. Homeowners have been waiting anxiously for relief, and implementation of the final rule has taken much longer than we expected. Please make sure all permit applications are evaluated under the new rules, including those where applications have been filed.

Respectfully submitted,



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